

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

HONEYWELL INTERNATIONAL INC.  
and HONEYWELL INTELLECTUAL  
PROPERTIES, INC.,

Plaintiffs,

v.

APPLE COMPUTER, INC., et al.,

Defendants.

Civil Action No. 04-1338-KAJ

---

OPTREX AMERICA, INC.,

Plaintiff,

v.

HONEYWELL INTERNATIONAL INC.  
and HONEYWELL INTELLECTUAL  
PROPERTIES INC.,

Defendants.

Civil Action No. 04-1536-KAJ ✓

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the interested parties and subject to the approval of the Court, that the briefing on *Honeywell's Motion for Consolidation and Stay Pursuant to Federal Rule of Civil Procedure 42* (Doc. No. 134 in C.A. No. 03-1338; Doc. No. 14 in C.A. No. 04-1536) shall proceed as follows:

|                  |  |
|------------------|--|
| Opening brief:   | Filed and served March 10, 2005          |
| Answering brief: | To be filed and served by March 28, 2005 |
| Reply brief:     | To be filed and served by April 8, 2005  |

BOUCHARD MARGULES & FRIEDLANDER, P.A.

MORRIS, NICHOLS, ARSHT & TUNNELL

/s/ Karen L. Pascale

Andre G. Bouchard (#2504)  
Karen L. Pascale (#2903)  
[kpascale@bmf-law.com]  
222 Delaware Avenue, Suite 1400  
Wilmington, DE 19801  
(302) 573-3500  
*Attorneys for Optrex America, Inc.*  
*(Third-Party Defendant in 04-1338-KAJ;*  
*Plaintiff in C.A. No. 04-1536-KAJ)*

/s/ Thomas C. Grimm

Thomas C. Grimm (#1098)  
[tgrimm@mnat.com]  
Leslie A. Polizoti (#4299)  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347  
(302) 658-9200  
*Attorneys for Honeywell International Inc.*  
*and Honeywell Intellectual Properties Inc.*  
*(Plaintiffs in C.A. No. 04-1338-KAJ;*  
*Defendants in C.A. No. 04-1536-KAJ)*

SO ORDERED this \_\_\_\_\_ day of March, 2005.

\_\_\_\_\_  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on March 17, 2005, I caused the foregoing document to be electronically filed with the Clerk of Court using CM/ECF, which will send notification of such filing to the following:

Thomas C. Grimm, Esquire  
MORRIS, NICHOLS, ARSHT & TUNNELL  
1201 North Market Street  
Wilmington, DE 19899-1347  
[tgrimm@mnat.com]  
*Attorneys for Defendants, Honeywell International Inc.  
and Honeywell Intellectual Properties, Inc.*

I further certify that on March 17, 2005, I caused a copy of the foregoing document to be served by First Class U.S. Mail on the above-listed counsel.

/s/ Karen L. Pascale  
BOUCHARD MARGULES & FRIEDLANDER, P.A.  
Andre G. Bouchard (#2504) [abouchard@bmf-law.com]  
Karen L. Pascale (#2903) [kpascale@bmf-law.com]  
222 Delaware Avenue, Suite 1400  
Wilmington, DE 19801  
(302) 573-3500  
*Attorneys for Optrex America, Inc.  
(Plaintiff in C.A. No. 04-1536-KAJ)*